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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/520,344	03/07/2000	John S. Hendricks	5281	9377
38598	7590	06/23/2005	EXAMINER	
ANDREWS KURTH L.L.P. 1701 PENNSYLVANIA AVENUE, N.W. SUITE 300 WASHINGTON, DC 20006			VO, TUNG T	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/520,344

Applicant(s)

HENDRICKS ET AL.

Examiner

Tung Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-40 is/are pending in the application.
- 4a) Of the above claim(s) 1-27 and 41-52 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 March 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>08/20/02</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group V, claims 28-40 in the reply filed on 01/13/2005 is acknowledged. The traversal is on the ground(s) that the search and examination of the entire application could be made without serious burden. This is not found persuasive because the search on claims 28-40 is not the same on other claims as set forth in previous Office Action dated 12/13/2004.

The requirement is still deemed proper and is therefore made FINAL.

Claim Objections

2. Claim 35 is objected to because of the following informalities: Claim 35, line 1, after "wherein" delete "the". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 28-39, 31, 36, 38, and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Bernstein et al. (US 5,204,947).

Re claim 28, Bernstein discloses an electronic device (col. 6, lines 65-68, e.g. a personal computer, a mini computer or a main frame computer is considered as electronic book) comprising a link to an Internet web site (col. 6, line 68 – col. 1, e.g. A computer network that spans a relatively large geographical area. Typically, a WAN consists of two or more local-area networks (LANs). Computers connected to a wide-area network are often connected through public networks, such as the telephone system. They can also be connected through leased lines or satellites. The largest WAN in existence is the Internet), the web site providing a plurality of streaming video, audio and text data when connected to the electronic book (53 of fig. 5); and a control function (11, 12 and 13 of fig. 2 and figs. 7-15), wherein the control function allows selection of one or more of the plurality of streaming video, audio and text data, and wherein the

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selected data are displayed with display of the electronic book (Navigational of fig. 15, e.g. text margin note, picture, video selection, audio selection, textfile).

Re claims 29 and 31, Bernstein further discloses wherein the electronic book is adapted to be displayed on a personal computer (col. 6, lines 65-68) as an electronic book viewer (able viewing text, a mini computer col. 6, lines 65-68, e.g. a user is able to view text, see fig. 8).

Re claim 36, Bernstein further discloses wherein electronic is stored on a device having a memory (25, 26, 27 of fig. 2) and wherein one or more of the streaming video, audio and text data are stored in the memory.

Re claim 38, Bernstein further discloses wherein the connection to the Internet web site is completed using a wired communication system (31 of fig. 3).

Re claim 40, Bernstein further discloses wherein the connection to the Internet website uses an electronic link (31-37 of fig. 3).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernstein et al. (US 5,204,947) in view of Ohara et al. (US 5,739,814).

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Re claim 30, Bernstein teaches the electronic book is the mini computer comprising the monitor (14 of fig. 1) except the electronic book is adapted to be displayed on a television as claimed.

However, Ohara teaches a electronic book (6 of fig. 1) is connected to a television (4 of fig. 1) to display a video signal.

Taking the teachings of Bernstein and Ohara as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Ohara (4 and 6 of fig. 1) into the mini computer of Bernstein to display the video signal. Doing so would provide improved utilization of a combination of picture book information to simulate a book, while creating a user-friendly interface for inputting information to a computer-based system for ultimate display to the user.

7. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernstein et al. (US 5,204,947) in view of Woodill (WO 91/11769).

Re claim 32, Bernstein teaches the electronic book is the mini computer except the electronic book is adapted to be displayed on a palm-sized viewer as claimed.

However, Woodill teaches a portable electronic reading and reference device would obviously be held in palm-sized (fig. 1A) for displaying electronic page of the book would be adapted the electronic book by I/O port of figure on page 4/4 of the drawing.

Therefore, taking the teachings of Bernstein and Woodill as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the portable electronic reading device

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(fig. 1B) of Woodill into the mini computer of Bernstein to improve upon portable computer by simplicity of controls and operation and lower cost.

Doing so would provide the reduction of environment hazardous pulp and paper requirements.

8. Claims 33-35 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernstein et al. (US 5,204,947) in view of Kannes (US 4,965,819).

Re claims 33-35 and 37, Bernstein does not particularly teach a camera selection control that allows a user to select a camera angle from which is provided a video signal; and a multiple screen function that provides for display of video signal from more than one camera angle and a PIP format in a first video signal with a second video signal in a main screen, and a live with display in the electronic book as claimed.

However, Kannes teaches a camera selection control (68 of fig. 2; e.g. programmed computer 68 implements the above-described automatic video signal selection operation in software. Alternatively, conventional audio signal comparator circuitry (which may be included in unit 174 of FIG. 6) may perform part of the video selection operation, with programmed computer 68 performing the remaining part of such video selection operation) that allows a user to select a camera angle from which is provided a video signal; and a multiple screen function (fig. 4A) that provides for display of video signal from more than one camera angle and a PIP format in a first video signal (201 of fig. 4A) with a second video signal in a main screen (200 of fig. 4A), and a live with display (conferencing is live video image).

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Therefore, taking the teachings of Bernstein and Kannes as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Kannes into the electronic book of Bernstein to selectively control the cameras and display the video signals in PIP and main screen.

Doing so would allow tremendous equipment cost savings at the remote module, and allows use of a simpler and less expensive transmission link capable only of transmitting a single video signal from the control module to the remote module.

9. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernstein et al. (US 5,204,947) in view of Quentin et al. (US 5,208,745).

Re claim 39, Bernstein does not particularly teach a wireless communication system as claimed.

However, Quentin teaches a wireless communication system can be used for a computer system for transmitting text, video, audio signal (col. 23, line 50-col. 24, line 24).

Therefore, taking the teachings of Bernstein and Quentin as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Quentin into the electronic book of Bernstein to improve the transmission of video, audio, and text signal to the user.

Doing so would provide advantages of using the queue and its associated buffers is that it enables the expert system to set up a specified sequence of multimedia commands in advance.

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Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

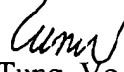
Morris et al. (US 5,420,974) discloses a multimedia complex form creation, display and editing method apparatus.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung Vo whose telephone number is 571-272-7340. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Tung Vo
Primary Examiner
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